



# CITY OF LODI COUNCIL COMMUNICATION

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**AGENDA TITLE:** Approval of Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental Abatement Program Litigation and Various Other Cases being Handled by Outside Counsel (\$93,162.91).

**MEETING DATE:** November 5, 2008 City Council Meeting

**PREPARED BY:** City Attorney's Office

**RECOMMENDED ACTION:** Approval of Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental Abatement Program Litigation and Various Other Cases being Handled by Outside Counsel (\$93,162.91).

**BACKGROUND INFORMATION:** Listed below are invoices from the City's outside counsel, Folger, Levin & Kahn; Kronick, Moskovitz, Tiedemann & Girard and Miscellaneous Invoices for services incurred relative to the Environmental Abatement Program litigation and various other matters that are currently outstanding and need to be considered for payment.

## Folger Levin & Kahn - Invoices Distribution

Matter No.	Invoice No.	Date	Description	Water Acct.
8008	111110	Sep-08	City of Lodi v. Envision	73,763.05
		Sep-08	Carol M. Langford, Expert Wit Re: Envision	3,845.00
		Aug-08	Thomas Haas, Expert Witness Services	4,488.00
			<b>Total</b>	<b>\$82,096.05</b>

## Kronick Moskovitz Tiedemann & Girard - Invoices Distribution

Matter No.	Invoice No.	Date	Description	100351.7323
11233.026	241075	09/25/08	Lodi First v. City of Lodi	<b>\$8,235.50</b>

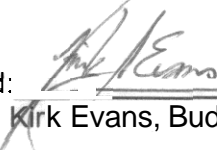
## MISCELLANEOUS


Invoice No.	Date	Description	Water Account
890701	6/9/2008	Harry A. Cannon re: City v. Donovan	1,550.96
1037	10/16/2008	Benchmark Video	733.75
76612ESF	9/29/2008	Esquire Deposition Services	546.65
			<b>\$2,831.36</b>

**FISCAL IMPACT:** Expenses in the amount of \$8,235.50 will be paid out of the General Fund and billed to Wal-Mart for City's defense of the Lodi First litigation. The remaining expenses will be paid out of the Water Fund.

**FUNDING AVAILABLE:** 184010.7323 - \$84,927.41  
100351.7323 - \$ 8,235.50

Approved:

  
Kirk Evans, Budget Manager

  
D. Stephen Schwabauer, City Attorney

APPROVED:

  
Blair King, City Manager